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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,841	10/23/2003	Travis Westmeyer	740551-103	5396

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EXAMINER

MOHANDESI, JILA M

ART UNIT PAPER NUMBER

3728

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/690,841

Applicant(s)

WESTMEYER ET AL.

Examiner

Jila M. Mohandesi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/23/03, 65/10/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanco (5,839,575) in view of Inaba et al. (4,327,831). Blanco '575 discloses a storage package for a recording medium comprising a paper board component (paper board cover 12) attached to two plastic, recording medium-holding components (18 & 20), configured to resemble a book, said package including: a paper board component defining a flat panel having a pair of opposed lateral sides and a pair of opposed transverse side which are generally perpendicular to said lateral sides, said panel including a first panel area for attachment of a first plastic, recording medium-holding component, said first and second components being separated by a third panel area for defining the spline (14) of said book; first and second plastic components for receiving and holding a recording medium, each of said components defining: a generally planar surface having opposite faces for receiving and maintaining a recording medium on a first face thereof, said planar surface having marginal edges defining the peripheral extent of said surface; upstanding wall portions on said planar surface proximate the marginal edges of said planar surface, said wall portions on said second component being positioned a greater distance inside the marginal edges of said planar surface

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than on said first component (see column 4, lines 51-64) such that, when said components are brought together into first face to first face proximity, the wall portions of said second component nest within the wall portions of said component with the outside of the wall portions of said second component immediately adjacent the inside of the wall portions of said first components being determined by the height of said wall portions; and means (plurality of flanges 34A, 34B, 34C and 34D and plurality of coordinately placed notches 36A, 36B, 36C and 36D) at corresponding locations on the wall portions of said first and second components for releasably engaging and latching said first and second components together in an assembled configuration; said paper board being heat sealed to said assembled components with creases defining the spline of said book being formed in said paper component during heat sealing. Blanco '575 does not appear to disclose additional recording holding trays attached to panel faces which are in the interior of the storage package in the folded configuration. Inaba '831 discloses a storage package for multiple recording media where the number of trays and panels can be increased to accommodate multiple recording media. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide additional recording holding trays to the storage package of Blanco '575 attached to panel faces which are in the interior of the storage package in the folded configuration as taught by Inaba '831 to provide for more storage space.

With respect to claim 2, it would have been obvious to one of ordinary skill in the art to also include a rosette in both of the components of the storage package, since it has been held that mere duplication and rearranging of the essential working parts of a

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device involves only routine skill in the art. St. Regis Paper Co. V. Bemis Co., 193 USPQ 8 and In re Einstein, 8 USPQ 167.

With respect to claim 3, note finger well (50) in Figure 2 embodiment. It would have been obvious to one of ordinary skill in the art to include diagrammatically opposed finger wells, since it has been held that mere duplication and rearranging of the essential working parts of a device involves only routine skill in the art. St. Regis Paper Co. V. Bemis Co., 193 USPQ 8 and In re Einstein, 8 USPQ 167.

With respect to claim 7 whether the bonding means is by heat sealing or adhesive or any other art recognized equivalent is an obvious matter of design choice, such as cost and ease of manufacturing.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shown are storage packages analogous to applicant's instant invention.

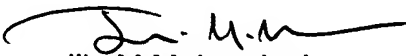
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jila M. Mohandesi whose telephone number is (571) 272-4558. The examiner can normally be reached on Monday-Friday 7:30-4:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**JILA M. MOHANDESI**  
**PRIMARY EXAMINER**



Jila M Mohandesi  
Primary Examiner  
Art Unit 3728

JMM  
June 29, 2005